

THOMAS P. RILEY, Esq., Bar No.: 194708  
 THOMAS P. RILEY, LAW OFFICES OF  
 1114 FREMONT AVENUE  
 SOUTH PASADENA, CA 91030

tpirlaw@att.net

Ref. No. or File No.

ATTORNEY FOR (Name): PLAINTIFF

MANNILA ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT  
 280 SOUTH FIRST STREET  
 SAN JOSE, CA 95113

PLAINTIFF/PETITIONER:

J &amp; J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT

PACIS

## PROOF OF SERVICE

DATE:

TIME:

DEPT/DIV:

CASE NUMBER:

C0800326 JW HRL

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the

SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDERS; U.S.D.C. FOR THE NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE DIVISION INFORMATION PACKAGE

3. a. Party served: ROSITA T. PACIS, INDIVIDUALLY AND D/B/A MANNILA ROSE RESTAURANT

4. Address where the party was served: 3570 SAN VICENT AVENUE  
 MERCED, CA 95348

5. I served the party

b. by substituted service. On: July 26, 2008 at 09:56 am I left the documents listed in item 2 with or in the presence of "JOHN DOE" (REFUSED NAME) - CO-OCCUPANT

(2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.

(4) A declaration of mailing is attached.

(5) I attach a **declaration of diligence** stating actions taken first to attempt personal service under the following Code of Civil Procedure section:

SERVICE MADE PURSUANT TO FRCP 4(e) (2)

## 7. Person who served papers

- a. D. ALLRED  
 b. ABSOLUTE SERVICE OF LOS ANGELES  
 1301 WEST SECOND STREET, SUITE 204  
 LOS ANGELES, CA 90026  
 c. (213) 481-7334

d. The fee for service was: \$60.00

e. I am: (3) registered California process server.

(i) independent contractor

(ii) Registration No.: EXEMPT B&B22350 (B)

(iii) County:

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 6, 2008

  
 D. ALLRED

THOMAS P. RILEY, ESQ., Bar No.: 194706

TELEPHONE NO.  
(626) 799-9797

THOMAS P. RILEY, LAW OFFICES OF

1114 FREMONT AVENUE

SOUTH PASADENA, CA 91030

tprlaw@att.net

ATTORNEY FOR (Name):

PLAINTIFF

MANNYLA ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT

280 SOUTH FIRST STREET

SAN JOSE, CA 95113

PLAINTIFF

J &amp; J SPORTS PRODUCTIONS, INC.

DEFENDANT

PACIS

DECLARATION  
RE: DILIGENCE

DATE:

TIME:

DEPT/DIV

CASE NUMBER:

C0800326 JW HRL

I received the within process on June 17, 2008 and that after due and diligent effort I have been unable to personally serve said party. The following itemization of the dates and times of attempts details the efforts made to effect personal service. Additional costs for diligence are recoverable under CCP §1033.5 (a)(4)(B).

Party Served: ROSITA T. PACIS, INDIVIDUALLY AND D/B/A MANNYLA ROSE RESTAURANT

Residence: 3570 SAN VICENT AVENUE, MERCED, CA 95348

Business: Business address was not known at the time of service.

As enumerated below:

July 7, 2008 10:52 am

NO ANSWER (RESIDENCE).

July 8, 2008 07:51 am

NO ANSWER (RESIDENCE).

July 9, 2008 01:35 pm

NO ANSWER (RESIDENCE).

July 12, 2008 08:15 pm

NO ANSWER (RESIDENCE).

July 15, 2008 06:25 am

NO ANSWER (RESIDENCE).

July 17, 2008 06:50 pm

NO ANSWER (RESIDENCE).

July 23, 2008 01:50 pm

NO ANSWER (RESIDENCE).

July 26, 2008 09:55 am

NOT HOME (RESIDENCE) PER "JOHN DOE" (REFUSED NAME), CO-OCCUPANT.

July 26, 2008 09:56 am

SUBSTITUTED SERVICE. RECIPIENT INSTRUCTED TO DELIVER DOCUMENTS TO DEFENDANT AS NAMED.

(CONTINUED ON NEXT PAGE)

Person who served papers

D. ALLRED

ABSOLUTE SERVICE OF LOS ANGELES

1301 WEST SECOND STREET, SUITE 204

LOS ANGELES, CA 90026

(213) 481-7334

The fee for service was: \$60.00

I am: registered California process server.

independent contractor

Registration No.: EXEMPT B&B22350 (B)

County:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 6, 2008

D. ALLRED

THOMAS P. RILEY, LAW OFFICES OF  
1114 FREMONT AVENUE  
SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref. No. or File No.

ATTORNEY FOR (Name):

PLAINTIFF

MANNYLA ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT  
280 SOUTH FIRST STREET  
SAN JOSE, CA 95113

PLAINTIFF

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT:

PACIS

DECLARATION  
RE: DILIGENCE

DATE:

TIME

DEPT/DIV:

CASE NUMBER

C0800326 JW HRL

**Person who served papers**

D. ALLRED  
ABSOLUTE SERVICE OF LOS ANGELES  
1301 WEST SECOND STREET, SUITE 204  
LOS ANGELES, CA 90026  
(213) 481-7334

**The fee for service was: \$60.00**

I am: registered California process server.

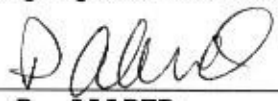
Employee or independent contractor

Registration No.: **EXEMPT B&B22350 (B)**

County:

**I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **August 6, 2008**

  
D. ALLRED



THOMAS P. RILEY, LAW OFFICES OF  
1114 FREMONT AVENUE  
SOUTH PASADENA, CA 91030

tprlaw@att.net

Ref. No. or File No.

ATTORNEY FOR (Name):

PLAINTIFF

MANNILA ROSE REST 1/21/06

Insert name of court, judicial district or branch court, if any:

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT  
280 SOUTH FIRST STREET  
SAN JOSE, CA 95113

PLAINTIFF/PETITIONER

J & J SPORTS PRODUCTIONS, INC.

DEFENDANT/RESPONDENT

PACIS

PROOF OF SERVICE BY MAIL

DATE:

TIME

DEPT/DIV:

CASE NUMBER

C0800326 JW HRL

I am a citizen of the United States and employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1301 West Second Street, Suite 204, Los Angeles, CA 90026.

On July 28, 2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made, I mailed copies of the:

SUMMONS IN A CIVIL CASE, COMPLAINT; CIVIL COVER SHEET; CERTIFICATION AS TO INTERESTED PARTIES; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDERS; U.S.D.C. FOR THE NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE DIVISION INFORMATION PACKAGE

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at LOS ANGELES, California, addressed as follows:

ROSITA T. PACIS, INDIVIDUALLY AND D/B/A MANNILA ROSE RESTAURANT  
3570 SAN VICENT AVENUE  
MERCED, CA 95348

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at LOS ANGELES, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

**Person who served papers**

M. MANCHESTER  
ABSOLUTE SERVICE OF LOS ANGELES  
1301 WEST SECOND STREET, SUITE 204  
LOS ANGELES, CA 90026  
(213) 481-7334

The fee for service was: \$60.00

I am: registered California process server.  
employee  
Registration No.: 5211  
County: LOS ANGELES

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: August 6, 2008

M. MANCHESTER